

Message Text

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ORIGIN DOE-15

INFO OCT-01 EUR-12 EA-10 ISO-00 SOE-02 ACDA-12 OES-09
L-03 CIAE-00 INR-10 IO-13 NSAE-00 NSC-05 EB-08
NRC-05 DODE-00 SS-15 SP-02 CEQ-01 PM-05 SAS-02
/130 R

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EUR/WE: H COLE
EA/J: M MEYERS
EA/K: J GOSNELL
L/N: R SLOAN/R BETTAUER

-----125000 061936Z /43

R 061717Z SEP 78
FM SECSTATE WASHDC
TO AMEMBASSY VIENNA
INFO AMEMBASSY LISBON
AMEMBASSY SEOUL
AMEMBASSY TOKYO

C O N F I D E N T I A L STATE 225568

USIAEA

E.O. 11652: GDS

TAGS: IAEA, TECH, PARM, PO, KS

SUBJECT:PROTOCOLS TO SUSPEND SAFEGUARDS TRANSFER AGREEMENTS
WITH PROTUGAL AND JAPAN

REF: A) VIENNA 7158; B) VIENNA 3733; C) VIENNA 1859;
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D) VIENNA 5523

1. WE DEFERRED ANSWERING REF B, CONCERNING PROTOCOL TO
SUSPEND SAFEGUARDS UNDER US-IAEA-PORTUGAL SAFEGUARDS TRANS-
FER AGREEMENT (STA), IN EXPECTATION OF EARLY CONCLUSION OF
SUSPENSION PROTOCOL WITH JAPAN WHICH COULD SERVE AS USE-
FUL PRECEDENT FOR PORTUGUESE AND OTHER FUTURE SUSPENSION

PROTOCOLS. HOWEVER, IN VIEW CONTINUED LACK OF JAPANESE RESPONSE TO US PROPOSED TEXT, MISSION AT ITS DISCRETION MAY WITHOUT FURTHER DELAY PROPOSE PROTOCOL TO SUSPEND PORTUGAL STA IN ACCORDANCE WITH PARAS 4 AND 5 BELOW.

2. MISSION REQUESTED ASK GOJ REPRESENTATIVE WHEN RESPONSE ON PROPOSED US TEXT MAY BE EXPECTED. MISSION SHOULD AGAIN INDICATE DESIRABILITY OF RESOLVING THIS MATTER ASAP AND RE-EMPHASIZE THAT LANGUAGE OF PROPOSED US TEXT IS DESIGNED TO MEET REQUIREMENTS OF NUCLEAR NON-PROLIFERATION ACT (NNPA). MISSION SHOULD ALSO MENTION THAT SUSPENSION PROTOCOLS ARE CONSIDERED QUOTE SUBSEQUENT ARRANGEMENTS UNQUOTE, AS

DEFINED BY NNPA; THUS ONCE AGREEMENT ON TEXT IS REACHED, DOE MUST FOLLOW PRESCRIBED PROCEDURES, INCLUDING PUBLICATION IN FEDERAL REGISTER, BEFORE PROTOCOL CAN ENTER INTO FORCE. - - - - -

3. AS MISSION AWARE, DELAY IN CONCLUDING PROTOCOL HAS DELAYED FURTHER CONSIDERATION OF US-JAPAN-UK-IAEA MEMORANDUM OF UNDERSTANDING WHICH APPEARED TO BE NECESSARY TO PROVIDE FOR IAEA SAFEGUARDS IN US ON UK-ORIGIN PLUTONIUM IN FUEL PINS JAPAN PLANNED TO SEND TO US FOR TESTING IN GENERAL ELECTRIC TEST REACTOR. HOWEVER, WE UNDERSTAND THAT A FEW MONTHS AGO THERE SEEMED TO BE AN INDICATION THAT UK MIGHT WITHDRAW ITS REQUIREMENT FOR SAFE-CONFIDENTIAL

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GUARDS IN US ON THIS PLUTONIUM, SINCE IT WAS NOT REPEAT NOT PRODUCED IN JAPAN BUT WAS SUPPLIED BY UK. PLEASE ADVISE OF CURRENT UK POSITION ON THIS QUESTION. GE MAKES REPEATED INQUIRIES ON STATUS OF SAFEGUARDS ARRANGEMENTS RE THIS MATERIAL, ON WHICH IT SAYS IT STILL HOPES TO PERFORM PLANNED TESTS, EITHER IN GETR (IF RESTART IS AUTHORIZED OR IN OTHER US REACTOR.

4. RE PROPOSED PROTOCOL WITH PORTUGAL, AGENCY DRAFT TRANSMITTED BY REF B CONCERNS SUSPENSION OF SAFEGUARDS ONLY WITH RESPECT TO PORTUGAL. HOWEVER, AS INDICATED IN CABLES EXCHANGED BETWEEN DEPARTMENT AND MISSION REGARDING JAPANESE STA SUSPENSION, WE BELIEVE ALL FUTURE SUSPENSION PROTOCOLS SHOULD COVER EVENTUAL ANTICIPATED SUSPENSION OF SAFEGUARDS WITH RESPECT TO US WHEN US-IAEA VOLUNTARY OFFER SAFEGUARDS AGREEMENT ENTERS INTO FORCE. ALTHOUGH AT PRESENT THERE IS NO MATERIAL IN US UNDER PORTUGAL STA, THERE COULD CONCEIVABLY BE SOME IN FUTURE.

5. FOR VIENNA: ACCORDINGLY, MISSION SHOULD SEEK AGENCY AGREEMENT ON PROTOCOL TEXT FOR PORTUGAL CORRESPONDING TO TEXT ORIGINALLY PROPOSED TO JAPAN, WITH TITLE AND OPERATIVE

PARAS PER REF C PARAS 1-5 AS MODIFIED BY INCLUSION OF
SENTENCE PROPOSED BY MISSION (REF D PARA 3) TO MEET AGENCY
OBJECTION TO EARLIER US LANGUAGE CONCERNING EQUIPMENT AND
DEVICES. PLEASE CABLE COMPLETE TEXT PROPOSED TO AGENCY
FOR PORTUGAL PROTOCOL, TO AVOID ANY MISUNDERSTANDING
BETWEEN DEPARTMENT AND MISSION (AS RESULT OF VARIOUS
CHANGES ADOPTED AND CONSIDERED) AND FOR INFORMATION
EMBASSY LISBON. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, NUCLEAR SAFEGUARDS
Control Number: n/a
Copy: SINGLE
Draft Date: 06 sep 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE225568
Document Source: CORE
Document Unique ID: 00
Drafter: E MCFADDEN
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780363-0514
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780997/aaaadcjd.tel
Line Count: 124
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 7a6efa56-c288-dd11-92da-001cc4696bcc
Office: ORIGIN DOE
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 VIENNA 7158, 78 VIENNA 3733, 78 VIENNA 1859
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 25 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1529169
Secure: OPEN
Status: NATIVE
Subject: PROTOCOLS TO SUSPEND SAFEGUARDS TRANSFER AGREEMENTS WITH PROTUGAL AND JAPAN
TAGS: TECH, PARM, PO, KS, JA, IAEA
To: VIENNA USIAEA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/7a6efa56-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014